

~~The apparatus as claimed in Claim 15~~ wherein the width of the first panel and respective wall is equal to the width of the second spacer panel and respective wall and further equal to the width of the third spacer panel and respective wall.

17(currently amended). The apparatus as claimed in Claim 16 [[13]] wherein at least one of the side walls, the front wall and the rear wall is connected directly to the roof deck.

18-20(canceled).

#### REMARKS

Claims 1-3, 6-8, 12-13, 15 and 18-20 have been canceled.

Claims 4-5, 9, 10, 14 and 16-17 have been amended.

Claims 4-5, 9-11, 14 and 16-17 are pending.

### **Allowable Subject Matter**

The Office Action indicated that Claims 9 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has placed Claims 9 and 16 in independent form, which makes the claims allowable. Claims 4-5 and 10-11 depend from Claim 9 and are also now allowable. Claims 14 and 17 depend from Claim 16 and are also allowable.

### **Claim Rejections**

#### **35 U.S.C. §102**

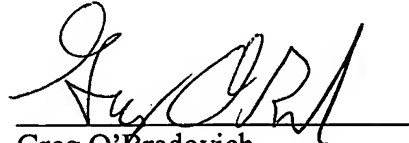
The Office Action rejected Claims 1-8, 10-15 and 17 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,166,343 to O'Brian et al. Applicant submits that the rejection is now moot because Claims 1-3 and 6-8, 12-13 and 15 have been canceled. In addition, Claims 4-5 and 10-11 now depend from allowed Claim 9 and Claims 14 and 17 now depend from allowed Claim 16.

#### **35 U.S.C. §103**

The Office Action rejected Claims 1-3, 9 and 17 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,166,343 to O'Brian et al. Applicant submits that the rejection is now moot since Claims 18-20 have been canceled.

If Examiner has any questions regarding this document, Applicant asks that Examiner contact the undersigned immediately by telephone.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Greg O'Bradovich", written over a horizontal line.

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